



THE BERNHOFT LAW FIRM, S.C.

The Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

December 14, 2023

**Via ECF and Hand Delivery**

**Re: United States v. Zeitlin, 23 Cr. 419 (LAK)  
Defendant's Letter Motion for Relief from the *Curcio* Hearing**

To the Honorable Judge Kaplan:

Defendant Richard Zeitlin hereby respectfully moves through undersigned counsel for relief from the Court's December 13, 2023, order, which scheduled a *Curcio* hearing for December 21, 2023, at 2:15 p.m. (Doc. 48.) The order requires the personal appearance for the defense of both Joshua Dratel and Robert Bernhoft. For the reasons set forth below, the Defendant respectfully requests the Court either reschedule the hearing, or allow Mr. Bernhoft to appear via video conference, with Attorney Dratel appearing personally with Defendant Zeitlin.

The reasons for this request are twofold. First, undersigned counsel Attorney Bernhoft has undergone three medical procedures in relative sequence over the past month, the most recent of which was yesterday, in an attempt to resolve an orthopedic issue. Mr. Bernhoft is therefore unable to travel to New York this coming week. In addition, Mr. Bernhoft has family coming to visit Austin this coming week in advance of the Christmas holidays, and has long-standing family obligations, including a family dinner on Wednesday, December 20th.

For all the foregoing reasons, Defendant Zeitlin respectfully requests the Court reschedule the hearing, or alternatively, grant permission for Attorney Bernhoft to appear via video conference, with defense counsel Attorney Dratel appearing personally with Defendant Zeitlin.

Respectfully submitted,

**THE BERNHOFT LAW FIRM, S.C.**  
Attorneys for Defendant Richard Zeitlin



---

Robert G. Bernhoft, Esq.  
Appearing *pro hac vice*  
1402 E. Cesar Chavez Street  
Austin, Texas 78702  
Telephone: (512) 582-2100  
Facsimile: (512) 373-3159  
[rgbernhof@bernhoflaw.com](mailto:rgbernhof@bernhoflaw.com)

cc: All counsel of record (via ECF)